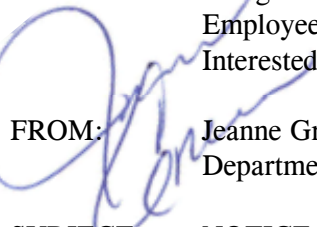




DEPARTMENT OF PERSONNEL
209 East Musser Street, Room 101
Carson City, Nevada 89701-4204
(775) 684-0150
<http://dop.nv.gov>

MEMO PERD #53/05
December 29, 2005

TO: Personnel Commission Members
Department Directors
Division Administrators
Agency Personnel Liaisons
Agency Personnel Representatives
Designees for Rules Distribution
Employee Representatives
Interested Parties

FROM:  Jeanne Greene, Director
Department of Personnel

SUBJECT: NOTICE OF WORKSHOP AND HEARING - NAC 284

The regulation changes included with this memorandum are being proposed for permanent adoption at the February 10, 2006, Personnel Commission meeting. This meeting will be held at 9:00 a.m. in Carson City at the Legislative Building, 401 South Carson Street, Room 4100. A videoconference link will also be available in Las Vegas at the Grant Sawyer Building, 555 East Washington Avenue, Room 4412.

In order to review the proposed regulations and solicit comments from interested persons, a workshop will be held at 2:00 p.m. on January 13, 2006, in Carson City at the Legislative Building, 401 South Carson Street, Room 4100. A videoconference link will also be available in Las Vegas at the Grant Sawyer Building, 555 East Washington Avenue, Room 4412. The informational note preceding each regulation explains the nature and purpose of the proposed regulation.

Please circulate or post the enclosed *Notice of Workshop to Solicit Comments on Proposed Regulations* and *Notice of Hearing* along with the *text of the proposed regulations* or otherwise notify your employees.

JG:sq



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NOTICE OF WORKSHOP
TO SOLICIT COMMENTS ON PROPOSED REGULATIONS AND
NOTICE OF HEARING
FOR THE AMENDMENT OF
REGULATIONS OF THE STATE PERSONNEL DEPARTMENT

Workshop Notice: The Department of Personnel, 209 East Musser Street, Carson City, Nevada, telephone number (775) 684-0119, is proposing the adoption of regulations pertaining to Chapter 284 of the Nevada Administrative Code.

A workshop has been set for 2:00 p.m. on January 13, 2006, at the Legislative Building, 401 South Carson Street, Room 4100 in Carson City, Nevada. A videoconference link will also be available at the Grant Sawyer Building, 555 East Washington Avenue, Room 4412 in Las Vegas, Nevada.

Action – Regulations Proposed for Permanent Adoption

Public Safety Injury Leave

Workers' Compensation Travel Leave

NAC REGULATION

New

New

A copy of all materials relating to the proposed regulations is included with this announcement. Additional copies may be obtained at the workshop or by contacting the Department of Personnel offices at 209 East Musser Street, Room 300, Carson City, Nevada, telephone number (775) 684-0119, or 555 East Washington Avenue, Suite 1400, Las Vegas, Nevada, telephone number (702) 486-2900. A reasonable fee for copying may be charged.

Hearing Notice: The Personnel Commission will hold a public hearing at 9:00 a.m. on February 10, 2006, in Carson City at the Legislative Building, 401 South Carson Street, Room 4100. A videoconference link will also be available in Las Vegas at the Grant Sawyer Building, 555 East Washington Avenue, Room 4412. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations. If no person, who is directly affected by the proposed action, appears to request time to make an oral presentation, the Personnel Commission may proceed immediately to act upon any written submissions.

- These regulations do not have a direct economic effect on any business or the public.

- Enforcement of these regulations will not result in an increased cost.
- To our knowledge, these regulations do not overlap or duplicate the regulations of other State or local governmental agencies.
- These regulations do not establish any new fee or increase an existing fee.
- A statement of the need for and the purpose of the proposed regulations precedes the text of each regulation included in the attached document.

Persons wishing to comment upon the proposed action of the Personnel Commission may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to Shelley Blotter, Department of Personnel, 209 East Musser Street, Room 101, Carson City, Nevada 89701-4204. **Written submissions must be received by the Department of Personnel on or before January 20, 2006.** A copy of this notice and the regulations to be adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be adopted will be available at the Department of Personnel, 209 East Musser Street, Room 300, Carson City, Nevada, or at the Department of Personnel, 555 East Washington Avenue, Las Vegas, Nevada, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. The text of each regulation will include the entire text of any section of the Nevada Administrative Code that is proposed for adoption. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principle reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

The notice of the Workshop and Hearing has been posted at the following locations:

CARSON CITY

Blasdel Building, 209 East Musser Street
Nevada State Library and Archives, 100 Stewart St.
Capitol Building, Main Floor
Legislative Building, 401 South Carson Street
Department of Personnel Web Site www.dop.nv.gov

ALL STATE AGENCIES

ALL NEVADA COUNTY PUBLIC LIBRARIES

LAS VEGAS

Grant Sawyer State Office Building
555 East Washington Avenue

NOTE: *We are pleased to make reasonable accommodations for individuals with disabilities who wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Department of Personnel, in writing, at 209 East Musser Street, Room 101, Carson City, Nevada 89701-4204, or call Debra Berry at (775) 684-0110, no later than five working days prior to the meeting.*

Explanation of Proposed Change: This new section, proposed by the Department of Personnel, provides clarification that leave, as described in NRS 281.153, shall be called public safety injury leave and may be granted at the discretion of the appointing authority.

1. *Pursuant to NRS 281.153, an appointing authority may grant public safety injury leave with pay for up to one year in lieu of workers' compensation salary benefits to an employee who:*
 - (a) *Is employed as a police officer or fireman; and*
 - (b) *Has suffered a catastrophe resulting in temporary total disability.*
2. *For purposes of this section, "catastrophe" means an illness or accident arising out of or in the course of employment which is life threatening or which will require a period of convalescence that an attending physician expects to exceed 30 days and because of which the employee is unable to perform the duties of his position.*

Explanation of Proposed Change: This new section, proposed by the Department of Personnel, determines how all agencies will administer the provisions of Chapter 616C of NRS as amended by AB 58 of the 2005 Legislative Session. This amendment allows an employee, under specific circumstances, to receive his regular hourly rate when traveling to workers' compensation doctor's appointments.

1. *The appointing authority shall grant workers' compensation travel leave with pay to an employee who:*
 - (a) *As a result of his work-related injury or occupational disease, qualified for benefits for a temporary total disability pursuant to NRS 616A through 617 inclusive; and*
 - (b) *After he returns to work, is required to travel more than 50 miles one way from his place of employment to receive medical treatment for his work-related injury or occupational disease.*
2. *An employee eligible for payment pursuant to subsection 1 shall be paid for all his regularly scheduled work hours he is absent from his place of employment to receive such medical treatment.*
3. *The injured employee shall provide to the appointing authority a physical assessment of the disability as defined in NAC 284.6002.*
4. *"Place of employment" means the primary duty station to which an employee is assigned and at which he performs the essential functions of his position.*